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University of Hawaii at Manoa

School of Law
1400 Lower Campus Road
Honolulu, Hawaii 96822

October 1982

Welcome to all of you in the Law School Community to a new academic year which should be both personally and professionally rewarding.

This Handbook has been designed to provide you with a ready source of basic information about the School's organization, procedures and services, and will be supplemented by additional notices throughout the year. Please check the bulletin boards frequently for new information.

The Office of Student Affairs stands ready to assist you in whatever way possible. Please drop by.

Again, best wishes for a good year.

Judith M. Kirkendall, Director
Diane Segawa, Secretary
Student Affairs Office

AN EQUAL OPPORTUNITY EMPLOYER

THE LAW LIBRARY

The Law School Library will begin the Fall Semester of 1982 with a bookstock of approximately 130,000 volumes.

In general, students can expect to find at the law School location, the large sets of legal matters which are most heavily used in legal research. This category includes the court reports (Federal, State and English), the annotated state statutes for all of the states, most law reviews, looseleaf services and the large encyclopedic and citation sets. Treatises which receive very heavy class use are kept in the Reserve Book Room. A card catalog is located in the Law Library. This catalog will only provide information for those books which are actually located at the Law School.

Hamilton Library is used for the storage of the main body of older separate treatises. Since these books are also important for certain areas of research, students are cautioned to remember that this important segment of material is not located at the Law School. Full access to the entire Law Library collection can only be obtained by reference to the main card catalog located in Hamilton Library.

The Law Satellite Library collection is a reference collection. This means that, contrary to the practice in most other libraries, none of the books in the Law Library can be taken from the premises. Given the special nature of legal research, the library cannot function to the best possible use of all patrons unless all books remain on the premises.

The Law Library is serviced by a Law Librarian (Associate Professor Jerry Dupont), two assistant law librarians, a librarian technician and a number of part-time student assistants. The Library's hours are posted each semester.

Students must charge out those books borrowed from the course reserve area under the same system and rules as are applicable in Hamilton Library. The normal charge-out period for course reserve materials is two hours. Students may recharge course reserve materials after their two hours have expired unless another user has requested the book in question in the interim. Course reserve materials may be charged out for overnight use from 4:00 p.m. each day.

All law students will have separate carrels assigned for their personal use. The library carrel assigned to individual students is to be treated as though it were personal office space for that student at the School. Any material in a carrel should be treated as the personal property of the assigned occupant. The one exception to that rule is library books. All such books will be considered available for general use unless they are actually being consulted by the carrel occupant at the time. Every student will be assigned a locker corresponding to his/her carrel number. Library books cannot be stored in a locker. Each student must provide his/her own lock.

The fall semester of 1982 will be the last semester in which the Library functions in its temporary quarters. At this writing it appears that the Library will be moving up to the permanent new library building over the Christmas vacation break. That will mean that the students must "commute" between the classroom buildings in the Quarry and the new building. By going through the new athletic complex, this trek can be made in about seven minutes walking time. This bifurcated arrangement will only last for one semester, since the remainder of the Law School is scheduled to move up to its new quarters in the summer of 1983.

STUDENT XEROX MACHINE

The library provides a coin-operated xerox machine for student use. This machine is located opposite the Reserve Book Room. Books may be taken from the library for the purpose of xeroxing on this machine. Students are requested to return the books to the library shelves after they complete their xeroxing.

STUDENT TELEPHONE (948-7760)

A telephone for student use is provided in the student lounge. This telephone is equipped in such a way so that only local calls can be initiated. While students may also use this phone to receive messages, the Law School is not responsible for monitoring the student phone. Incoming messages will have to depend upon the willingness of any student present in that room to notify the desired party.

COFFEE SERVICE

A coffee hui arrangement will be functioning from the Student Lounge. Management of the hui's equipment and supplies are the students' responsibility to be handled in whatever way interested students devise.

SPECIAL EQUIPMENT

The library has available for student and class use some audio-visual equipment. Microfiche readers are located in Room 21. The library also maintains videotape equipment, a 16 mm movie projector, a slide projector, and three small cassette tape recorders. For use of this equipment, please see the librarians.

STUDENT LOUNGE, TYPING AND STUDY ROOMS

The addition to the library building contains the seminar rooms. The seminar rooms are available for use as student typing rooms and small-group study rooms except when classes are being conducted. You must provide your own typewriter. Your special attention is called to the fact that it will be impossible for you or your fellow students to use the library for study if social groups congregate there. The librarian will do his best to keep social congregations out of the library. However, in order for this policy to work, the cooperation of all students will be essential. Students are urged to use the Student Lounge for socializing and other noisy activities.

STUDENT MAIL AND MESSAGES

Students are requested not to use the Law School address and phone number to receive mail or messages except for the phone located in the Student Lounge. Any mail or messages received by the Law School for a student will be posted on the Student Message Bulletin Board. It is each student's responsibility to check this board frequently and regularly. Messages will not be delivered to carrels. The administration will, of course, make every effort to contact students personally in an emergency situation.

BULLETIN BOARDS

Informational bulletin boards are located throughout the Law School complex. The Student Message Bulletin Board is located by the seminar rooms.

CURRENT ADDRESSES & TELEPHONE NUMBERS

Each student is responsible for notifying the Administration Office of his/her current telephone number and address. For notification purposes, this information should always be kept current.

FINANCIAL ASSISTANCE

1. In general, all requests for long-term financial aid to students are handled by the Financial Aids Office on the upper campus. Law students must compete for assistance with other University students -- there is no special category of funds designated especially for law students with the exception of a limited number of tuition waivers. Check with the Financial Aids Office for further information.

2. Graduate students in good standing are eligible to apply for a one year, 9% interest loan in the amount of \$250 through the Graduate Student Organization Office. Application should be made in person to that office in the Graduate School Division, Spalding Hall.

3. The Law School maintains an Emergency Loan Fund through which interest free loans up to \$200 can be obtained and are to be paid by August 31st, of the academic year in which they are negotiated. Checks are issued on Fridays, applications are accepted up to noon of the preceding Wednesday. This revolving loan fund is composed of contributions to the School from interested donors. Apply to the Student Affairs Office of the Law School.

PLACEMENT SERVICES

The Student Placement Service is under the administration and management of the Assistant Dean. It is established to inform students and graduates of the Law School of the career opportunities open to persons with a legal education and to assist private and public interest law firms, government agencies, industrial concerns, and other prospective employers in their efforts to identify and interview students and graduates. Students are encouraged to discuss current employment appointments and future career goals with the Assistant Dean. The School insists upon strict adherence to the principle of equal employment opportunity without regard to sex, race, religion or national origin.

Placement opportunities for persons with a legal education are as numerous as the broad range of social functions that involve studying, shaping, teaching, administering, and practicing the law. However, continuous changes in legal doctrines and institutions and recent sharp increases in the number of law school graduates in the country have made it difficult to assess the current and future demands for specific kinds of legal employment.

In the past few years, the Hawaii legal community has been increasingly receptive toward the graduates of the Law School. Accordingly, virtually all of the graduates who are available and seeking employment after passing the bar examination have been successful in being placed.

Summer and part-time employment for law students was also high. In the past three years, nearly all second and more first year law students who sought law-related employment found summer jobs. Students and graduates have been placed with legal employment in the U.S. mainland, though the great majority elect to work in Hawaii.

Equally difficult to assess is the extent to which the public and the legal profession will be responsive in the future to the need to make readily available additional legal services -- services necessitated by increasing urbanization, more complex governmental regulations, new right to counsel rulings of the Supreme Court, and a heightened awareness of environmental law and on the part of the poor and middle class of their legal rights. Many new methods of delivering legal services -- publicly funded legal service programs, group legal services, legal clinics, non-traditional legal services -- are still in their developmental stages. If and when they are more fully implemented, they should offer significantly expanded employment opportunities for lawyers. In its curriculum, the University of Hawaii School of Law emphasizes the preparation of students to take advantage of these new professional opportunities.

VETERANS' AFFAIRS OFFICE

Any veteran who has questions about his benefits and rights should contact the Veterans' Affairs Office in the Student Services Center (former Bookstore), adjacent to the Campus Center. The office phone number is 948-7891.

LAW STUDENT ORGANIZATIONS

Ahahui O Hawaii

The Ahahui O Hawaii is an organization of Hawaiian students and graduates of the University of Hawaii School of Law. Through the Ohana or family system, members help each other successfully complete their legal educations and, after graduation, assist each other where possible in legal practice as well as share experiences with those Hui members who remain as students. In the end, the contributions made as lawyers in the community will be all the richer because of the unity, strength and awareness found as Ohana members of the Ahahui O Hawaii.

American Bar Association - Law Student Division (ABA-LSD)

The ABA-LSD is the largest national law student organization. The LSD provides its members with an opportunity to point the law in new and innovative directions through the sharing of ideas and exposure to all aspects of legal concern. From women in the law to minority recruitment, from community legal services to law-related education, student members will be kept abreast of legal trends which may determine their participation as attorneys in an everchanging society.

Christian Legal Society

A local chapter of this nationwide professional association founded in 1961, provides Christian law students, lawyers and judges with a means of mutual sharing and of witnessing to the legal community. Present activities include fellowship and discussion group meetings. Other activities may include Christian Service projects as determined by the members.

Hawaii Aloha

Hawaii Aloha is an organization of U.H. law graduates and students. Through the sponsoring of open forums, it attempts to present to the U.H. community and general public, both sides of topical, controversial issues which may affect our future in Hawaii. During past years, these forums have embraced such topics as the use of Kaho'olawe, water rights, native Hawaiian rights and controlled growth.

The "Casenotes"

For the past several years, students have had the opportunity to express their musical talents through membership in a Hawaiian quartet, appropriately called the "Casenotes". They have performed not only at Law School parties and functions but for private engagements as well. On occasion, law students who do the hula have added their talents to the group.

Hawaii State Bar Association - U.H. Law Student Division

The Hawaii State Bar Association offers membership benefits to University of Hawaii law students which include receipt of all Bar publications (Bar Directory, Bar Journal and Bar News). Membership applications are available from the Student Services Office and should be submitted with the membership fee and a black and white passport type photograph since law students are included in the Bar Directory.

Women Together

This group of women law students and women friends and spouses of those in the Law School community, meet regularly to discuss issues of particular interest to women. In 1981, a representative of the organization attended the National Conference on "Women and the Law" in Boston.

Hawaii Women Lawyers

The Hawaii Women Lawyers, the only association of women lawyers in the State, has established a new associate membership for law students. The \$3.00 fee will be good for membership in the Hawaii Women Lawyers during the three years (or any portion) of law school. Hawaii Women Lawyers meet monthly in downtown Honolulu. A newsletter which announces meetings, speakers and provides other information of interest to women lawyers is sent out to members prior to every meeting. Hawaii Women Lawyers also sponsors and participates in activities of general interest to the Bar. Interested students should send their check for \$3.00 and state their year of graduation to:

Hawaii Women Lawyers
P.O. Box 1072
Honolulu, Hawaii 96805

There is no formal membership card but members will be put on the mailing list.

U.H. Filipino Law Students' Association

The U.H. Filipino Law Students' Association was organized in April 1981 with the primary purpose of providing academic support for its members. Additionally, the association seeks to encourage and assist students of Filipino ancestry to attend the University of Hawaii School of Law, and to establish and maintain contact with leaders in the Filipino community. Membership in the UHFLSA is open to all interested students currently enrolled in the School of Law.

LEGAL FRATERNITIES

Unlike many "fraternities" which are either honorary societies or social groups, a professional fraternity is a specialized organization which limits membership to specific fields of professional education in accredited colleges and universities offering courses leading to recognized degrees. Both men and women are eligible for membership. The primary legal fraternities are Phi Delta Phi and Phi Alpha Delta. Currently, Phi Delta Phi is established at this school under the name of the William S. Richardson Inn. The master for 1982-83 is Paul Murakami.

U.H. LAWLETTER

The U.H. Lawletter, published bi-monthly by students of the University of Hawaii School of Law, includes features, news items, and activities happening within the Law School and the legal community. Membership in the U.H. Lawletter is voluntary. Contributions and articles are also submitted by faculty and guest writers. The Lawletter tries to promote awareness of legal as well as non-legal issues of relevance.

ACADEMIC AWARDS

The Associate Dean's Office has information on all of the awards and competitions listed below:

American Jurisprudence Awards

Certificates and specially bound volumes of American Jurisprudence 2d titles are awarded each semester by the joint publishers, The Lawyers Co-operative Publishing Company of Rochester, New York, and Bancroft-Whitney Company, of San Francisco, California. The awards are presented to those students achieving the highest grades in selected subjects.

Corpus Juris Secundum Awards

The West Publishing Company awards a selected title of Corpus Juris Secundum each year to the student in each class who has made the most significant contribution to legal scholarship.

Dean's Scholastic Awards

Through the generosity of anonymous donors from the Honolulu community, there have been established two annual cash prizes to be awarded to the students with the highest cumulative grade point average at the end of their first and second year classes respectively. A student must carry and complete the full first year program or an equivalent number of hours during each semester of his or her first year in law school and 10 hours of graded courses per semester thereafter to be eligible for these awards. The present value of each of these cash prizes is \$750.00; this amount is currently the approximate cost of one year's tuition and books for a law student.

East-West Center Graduate Awards

A renewable grant is awarded to qualified law students who combine legal study with interests in one of the Center's Institutes.

Hornbook Awards

The West Publishing Company awards a selected title from its Hornbook series each year to the student in each class who achieves the highest scholastic average for the academic year. A student must carry and complete the full first year program or an equivalent number of hours during each semester of his or her first year in law school and 10 hours of graded courses per semester thereafter to be eligible for these awards.

International Academy of Trial Lawyers

The name of the student who achieved the most distinction in the art and science of advocacy each year is engraved on a plaque which is on permanent display in the School.

Lawrence H. Kono Memorial Award

This award was established by the family and friends of the late Lawrence H. Kono who died just prior to entering the first-year class of the Law School. It is given annually to the student who achieves the highest academic excellence in Federal Income Taxation.

James Koshiba Law Review Scholarship

Through the generosity of attorney James Koshiba, an annual award of \$660 is given to an editor of the University of Hawaii Law Review.

Susan McKay Memorial Moot Court Award

Friends of Susan McKay have contributed to a memorial fund in her name. An annual award is made to the student who achieves distinction in the first-year intramural moot court program.

National Dean's List Awards

Students who earn academic distinction are nominated for mention in The National Dean's List.

The United States Law Week Award

The United States Law Week Award of the Bureau of National Affairs, Inc., of Washington, D.C., of a year's subscription to Law Week is made to the graduating student who in the judgment of the faculty has made the most satisfactory progress in his senior year.

Miscellaneous

The American Bar Association, the International Association of Insurance Counsel, the American Society of Composers, Authors and Publishers, the American College of Legal Medicine, the United States Trademark Association, the National Energy Law and Policy Institute, the Federation of Insurance Counsel Foundation, and other professional associations sponsor essay contests each year which are open to law students across the nation. Cash prizes as high as \$1,500 are awarded for excellence in the art of legal writing.

UNIVERSITY OF HAWAII SCHOOL OF LAW EXAMINATION PROCEDURES AND STANDARDS OF CONDUCT

Examination procedures and standards of conduct are set forth below to provide each instructor and student a guide to the norms of the University of Hawaii School of Law.

Unless the instructor specifically directs that the examination may be written outside the Law School, these provisions on Written Examinations apply.

1. Written examination will be given only in designated rooms with no less than one seat space between persons taking the examination.
2. Persons typing their examination answer shall do so in a separate, designated room or rooms from that where persons are writing their examination; in all other respects, persons typing the examination are bound by the same requirements as those persons writing the examination.
3. The instructor of the course for which the examination is given is urged to be available during the hours of the examination to respond to questions about the examination; if the course instructor is not able to be available, he or she has the responsibility of having another member of the faculty or staff available to respond to questions regarding the examination. Responses to individual questions which might affect the grading of the examination should, as much as possible, be directed to the group taking the examination.
4. Students shall not have any book, notes, or other course-related material not authorized for use during the examination in a place other than that designated by the monitor.
5. There shall be a monitor present throughout each examination.
6. The monitor of an examination who has reasonable cause to believe that a violation of examination rules, procedures or standards has occurred shall in writing:
 - a. Describe the occurrence, ask for and note the student's name and examination number, and
 - b. Submit the above writing along with his, the monitor's name to the Law School Dean or his delegate.

Every written examination, whether written outside the Law School or within the School, should have the following provisions applied.

1. Every examination should have explicit written instructions for conduct related to the examination.
2. Students must provide their own instruments for writing or typing their examination answers. Official examination booklets will be provided for every examination unless otherwise directed by the examination instructions.
3. Students must label every examination answer booklet or other answer sheet with their examination identification number.
4. Students must obtain their examination identification number from cards provided by the Law School Administration Office. Examinations not identified with a proper identification number may not be accepted.

General Provisions

It shall be a violation of the School of Law's Standard of Conduct for a student to:

1. provide or receive unauthorized aid for work submitted for credit in a course;
2. submit the same or substantially the same work for credit in more than one course without prior authorization from the faculty members involved;
3. violate examination regulations or procedures as printed or announced;
4. intentionally misrepresent his/her academic qualifications when applying for admission, employment positions in student organizations, scholarships, financial aid or similar benefits;
5. misuse, damage or misappropriate property belonging to students, staff, faculty of the Law School or the University of Hawaii; and
6. violate the Rules of Conduct of the University of Hawaii generally.

NOTICE TO STUDENTS UNIVERSITY OF HAWAII SYSTEM

Pursuant to Section 99.6 of the rules and regulations governing the Family Education Rights and Privacy Act of 1974 (hereinafter the Act), students in attendance at the campuses of the University of Hawaii System are hereby notified of the following:

1. It is the administrative policy of the University of Hawaii System to subscribe to the requirements of Section 438 of the General Education Provision Act, Title IV, of Public Law 90-247, as amended, and to the rules and regulations governing the Act, which protect the privacy rights of students.
2. The rights of students under the Act include the following, subject to conditions and limitations specified in the Act:
 - a. The right to inspect and review education records.
 - b. The right to request to amend education records.
 - c. The right of protection from disclosure by the University of Hawaii System of personally identifiable information contained in education records without permission of the student involved.
 - d. The right to waive certain rights under the Act.
 - e. The right to file complaints concerning alleged failure by the University of Hawaii System to comply with the Act.
3. Students are advised that copies of the Act may be obtained from the offices of the Dean for Student Services, the Dean for Student Affairs, or the Dean for Academic Services, at the campuses of the University of Hawaii System at which students are in attendance. Required institutional policy and procedures will be published by the Office of the President of the University of Hawaii System as Business Manual Instruction 1614, Policies and Procedures Relating to the Family Educational Rights and Privacy Act of 1974.
4. Directory Information

Students are advised that certain personally identifiable information is considered by the University to be Directory Information and, in response to public inquiry, will be released without prior consent of the student unless the student otherwise so informs the University not to disclose such information.

 - a. Name of student
 - b. Dates of attendance
 - c. College and major
 - d. Year in school
 - e. Degrees awarded if any
 - f. Local address including zip code while attending the University if in the locator printout
 - g. Local phone number while attending the University if in the locator printout

A student may request that Directory information not be made public by contacting in person the following office at the campus at which the student is in attendance no earlier than the first day of instruction and no later than fourteen calendar days from the first day of instruction of each term or semester, or the fourth day of instruction of each summer session.

If University of Hawaii at Manoa - Office of
the Director of Admissions and Records

If West Oahu College - Office of the Registrar

If University of Hawaii at Hilo - Office of
the Dean of Student Services

If Community College - Office of the Dean of
Student Services

Prepared by Chancellor's Office
Supersedes M-4527 dated Sept. 1977

M-4527

M-4500 Student Affairs

Revised
February 1980

M-4527 A Statement on Responsibilities of Faculty and Students and
Academic Grievance Procedures for Students, University of
Hawaii, Manoa Campus

These policies and procedures are established by the Chancellor of the Manoa Campus with the concurrence of the Faculty Senate, the Associated Students, and the Graduate Student Organization to provide consistent and equitable treatment for faculty and students of UH-Manoa in resolving issues arising from the academic relationship between individual faculty and individual students. Their applicability is limited to those issues directly associated and concomitant with the faculty member's responsibilities as a teacher and the student's responsibilities as a learner.

Should a college or school have its own grievance procedures, the student nevertheless retains the rights and responsibilities in this document, and, if the student is not satisfied after exhausting the college or school procedures, he/she retains the right to appeal to the Academic Grievance Committee (AGC) of UH-Manoa.

Definitions

Student - Any individual enrolled in credit courses at UH-Manoa.

Undergraduate Student - Any student who has not yet received a baccalaureate degree.

Graduate Student - Any student who has received a baccalaureate degree.

Faculty Member - Any individual engaged in research and/or instruction for credit at UH-Manoa.

Department Chairperson - The individual designated as administrative head of any department or University unit offering instruction for credit.

Remedy - An action to correct an individual student's situation without imposing a sanction on a faculty member.

Semester - Any scheduled term of instruction including Continuing Education and Summer Session.

I. Responsibilities of Faculty

A. To permit students who act in accordance with the responsibilities indicated in Responsibilities of Students (Section II) to complete any course in which they are enrolled.

B. to ensure that the course offered is in basic accord with the latest course description available to students prior to registration.

- C. To provide students at the beginning of the semester/session with an explanation of the course objectives, general grading policy, attendance policy (see II, 8), and the manner in which the course will be conducted.
- D. To retain student papers, tests, and examinations through the ensuing semester unless returned to the students. Summer session papers should be retained through the Fall Semester.
- E. To provide regular class instruction as scheduled with class meetings beginning and ending at the stated times, and to comply with other stipulates of the University calendar and examination schedule.
- F. To provide students at appropriate times during the semester with fair and objective evaluations of their work and progress in the course. This does not apply to courses in which no work is presented for evaluation during the semester.
- G. To provide students equitable and unbiased treatment.
- H. To allow students to question and discuss the opinions, written materials, and other data considered part of the course content.
- I. To maintain reasonable office hours during the course of the regular semester mutually convenient to students and faculty.
- J. To adhere to the policies of the Faculty Senate as adopted in December, 1975, along with any amendments thereto, concerning author's recognition of contributions to their work by students and others.
- K. To refrain from any interference with the academic grievance procedures, or from any punitive action against a student because the student filed a grievance.

II. Responsibilities of Students

The AGC's decision on whether or not to hear a grievance will depend in part on the student-grievant having fulfilled the following responsibilities:

- A. To exhibit classroom behavior which does not infringe on other students' right to learn.
- B. To attend classes and laboratory sessions as required by the instructor, recognizing that absences may adversely affect the final grade.
- C. To fulfill course assignments and requirements as described by the instructor, recognizing that unfulfilled assignments and requirements may adversely affect the final grade.
- D. To abide by student and academic regulations as published by UH-Manoa.
- E. To follow official procedures in pursuing redress of a grievance.
- F. To refrain from frivolous grievances.

III. Procedures for Resolution of Academic Grievances

If a student has fulfilled his/her responsibilities and believes that a faculty member has failed to meet any of the responsibilities stated in Section I of this document, or has acted arbitrarily and/or capriciously in any other area of the academic relationship, the student may initiate action to achieve remedy. The action(s) available is outlined below and must be initiated no later than the end of the semester following the one in which the alleged grievance occurred. Since the AGC will not be sitting during Summer Sessions, any grievance deriving from Spring semester or either Summer Session will be heard during the subsequent Fall semester.

- A. Step 1 - The student shall try to resolve the problem with the faculty member involved.
- B. Step 2 - Failing to resolve the problem at Step 1, the student shall prepare an appeal in writing indicating: (1) the facts as the student perceives them, citing specific violations where possible; (2) the remedy sought; (3) the faculty member's response, if any, to the consultations of Step 1. This appeal is presented to the Department chairperson of the faculty member, with a copy for the faculty member, and must be filed within 14 calendar days of the time when the decision reached in Step 1 is made known to the student. For the purpose of this statement, where there are no departments, the School or College shall be considered the department, and the Dean of the School or College shall assume the responsibilities of a department chairperson.

The Chairperson shall meet separately with the student and the faculty member, or, if both parties agree, jointly, to discuss the grievance. Within 14 calendar days of receipt of the written appeal, the Chairperson shall complete any consultation and shall notify in writing the student and faculty member of his/her conclusion(s) and recommendation(s).

- C. Step 3 - Failing to achieve a satisfactory solution at Step 2, the student may file an appeal in writing with the Chairperson of AGC. Such filing must be done within 14 calendar days after the student has been notified of the conclusion(s) reached and any action(s) taken at Step 2. The student shall provide as part of the appeal, complete copies of all materials associated with Steps 1 and 2 and shall notify the Chairperson of AGC of the names of other custodians of relevant material which the student does not possess. It is the responsibility of the Chairperson of AGC to insure that all notifications required under Section IV, B, are accomplished.

IV. The Academic Grievance Committee

- A. Composition of AGC and its Hearing Committee. The AGC shall have ten (10) members: a Chairperson, three (3) undergraduate students, three (3) graduate students, and three (3) faculty members. For hearings, the Committee shall consist of the Chairperson, the three faculty members, and the three undergraduate students when the grievant is an undergraduate student, or the three graduate students when the grievant is a graduate student.

Five (5) members of the AGC shall constitute a quorum for a hearing.

The Chancellor shall appoint: (1) the Chairperson from the Faculty, (2) three undergraduate students nominated by ASUH, (3) three graduate students nominated by GSO, and (4) three faculty nominated by the Faculty Senate, at least two of whom shall be members of the graduate faculty. The ASUH, GSO, and the Faculty Senate shall each nominate three additional representatives who shall be appointed alternates by the Chancellor.

All members shall serve for one academic year with terms beginning September 1 and ending on May 15. Members may be reappointed for additional terms.

B. Responsibilities and Procedures of AGC

1. Pre-hearing Procedures

- a. Upon receipt of an appeal, the Chairperson of AGC shall:
 - 1) transmit the appeal to AGC for discretionary review and recommendation;
 - 2) notify in writing the grievant, the faculty member, and his/her departmental Chairperson of its action on the appeal:

N.B. THE PRESENTATION OF AN APPEAL IS A REQUEST BY THE GRIEVANT FOR A HEARING. HOWEVER, SHOULD AGC DECIDE, ON THE BASIS OF ALL MATERIAL BEFORE IT, THAT NO REASONABLE CASE EXISTS, IT HAS THE RIGHT TO REFUSE THE HEARING REQUEST. COMPLETION OF STEPS 1 AND 2 DOES NOT AUTOMATICALLY LEAD TO A FULL HEARING.

- 3) upon acceptance of the appeal convene a hearing of the AGC within 14 calendar days;
- 4) waive any and all specified time deadlines for a specific period when there is evidence that a good-faith effort to meet the deadline has been made;
- 5) determine if any prospective members of the hearing committee have a conflict of interest in the particular case and, should such determination be made, exclude them as members for the hearing.

- b. Upon scheduling a hearing, the Chairperson of AGC shall:

- 1) give written notice of the hearing, at least seven calendar days prior to the hearing, to the student, the faculty member, and the appropriate departmental Chairperson;
- 2) inform all parties of the date, time, and place of the hearing;
- 3) distribute to all parties copies of Manoa Business Memorandum No. 13, M-4527.

2. Hearing Procedures

The AGC shall adopt guidelines for the conduct of the hearings which shall include but not be limited to the following:

- a. The student and/or faculty member may have an advisor present provided that notice of such intent and the name of the advisor are given to the AGC Chairperson seven calendar days prior to the hearing. The other party to the appeal shall be notified by the Chairperson of such notice and may, without notice, have an advisor present.
- b. The hearing shall be open unless the student or faculty member requests, in writing, a closed hearing. This request must be made at least 24 hours prior to the hearing. In the event of a closed hearing, the Chairperson of AGC shall determine which individuals shall be allowed entry, and he/she shall take all measures necessary to assure security.
- c. The Chairperson of AGC shall give notice that the burden of proof rests upon the grievant.
- d. The Chairperson of AGC shall be responsible for recording the hearing, maintaining order, and shall have the authority to rule on points of order and to exclude immaterial and/or unduly repetitious evidence.
- e. The student and faculty member shall be provided the opportunity to present evidence and arguments on all issues involved.
- f. Oral and documentary evidence may be introduced.
- g. The student and faculty member shall have the right to question witnesses and submit rebuttal testimony.
- h. Neither the student nor the faculty member shall be compelled to testify, but should either or both choose to do so, they shall be subject to questioning on their testimony.
- i. All members of the hearing committee may question witnesses.
 1. The hearing committee may secure testimony from witnesses other than those presented by the student or faculty member. The committee may also secure documents relevant to the issue which were not introduced at any previous step, or introduced in the hearing by the student or faculty member. Confidential documents may be secured only with the consent of appropriate parties.
- k. The hearing will be held as scheduled in the absence of the faculty member alleged to have committed the grievance, unless such absence is for good and sufficient cause. The decision of AGC as to good and sufficient cause is final within the University.

1. Should the student grievant not appear except for good and sufficient cause, the grievance shall be dismissed with prejudice. The decision of AGC as to good and sufficient cause is final within the University.
- m. The deliberations of the hearing committee after receipt of all testimony shall be closed.
- n. After the hearing committee has made its findings and reached a decision, the Chairperson of AGC shall inform the student and faculty member of the findings and decision, in writing, within seven working days. A copy shall be sent to the faculty member's department chairperson.

3. Records of the Academic Grievance Hearing

- a. The Chairperson of the AGC shall maintain a log of the hearings. The log shall include a brief notation as to the subject matter of the dispute but no personally identifiable information. This log shall be open to inspection at the Office of the Dean of Students of UH-Manoa.
- b. Other records to be maintained by AGC shall include but need not be limited to the following and shall not be open to inspection except by the interested parties: all pleadings, motions and rulings, all evidence, including oral testimony, the report of AGC, and tape recordings of the hearing. This material will be filed in the Office of the Dean of Students of UH-Manoa. Copies of any tapes will not be made unless requested and paid for by the student and/or faculty member concerned.

V. Authority of the Academic Grievance Committee

- A. The findings and decisions of the AGC shall be final within UH-Manoa.
- B. The AGC shall have the authority to direct the execution of remedies.

VI. Reports of the Academic Grievance Committee

The Chairperson of the AGC shall submit a report of the activities of the AGC, in summary form, by May 1 each year to the Chancellor, the Chairperson of the Faculty Senate, and to the Presidents of ASUH and GSO.

VII. Redress Beyond the University

Nothing in this Statement on Responsibilities of Faculty and Students and Academic Grievance Procedures for Students, University of Hawaii, Manoa Campus, shall preclude either the student or the faculty member from seeking redress through a court of competent jurisdiction after exhausting the above procedure.

VIII. Severability

If any provision of this Statement on Responsibilities of Faculty and Students and Academic Grievance Procedures for Students, University of Hawaii, Manoa Campus, is held to be unconstitutional, the remaining provisions, wherever possible, shall be severable therefrom.

Grading norms are set out below to afford each instructor a guide to institutional expectation while at the same time permitting sufficient flexibility to allow for instructor variations and for variations in student performance in different courses. The norms are not mandatory but in the event of departure from the stated range, the instructor will be expected to justify the departure on inquiry of the Dean or faculty. The norms are applicable to course, but not seminar grades.

<u>Grades</u>		
A - Excellent	(4)	5 - 15%
B - Good	(3)	25 - 45%
C - Satisfactory	(2)	40 - 65%
D - Low Pass	(1)	0 - 20%
F - No Credit	(0)	0 - 10%

GRADE REPORTS

Because of the length and nature of examinations, the grading process of the Law School is lengthy and grades are not reported to students until six to eight weeks after the close of the examination period. Grades are mailed to students by the Student Affairs Office and are not available by telephone request. Nor are they transmitted verbally to students except by the relevant professors. However, a grade distribution list for each class will be posted at the time grades are released to students.

INCOMPLETE GRADES

Professors have the discretion to agree to accept late work if such an arrangement is made for conditions which are beyond the student's control and not by carelessness or procrastination. It is the responsibility of the student to arrange for the makeup of an "Incomplete" grade. Refer to the Academic Calendar in the front of the Handbook for final deadlines for makeup of "Incomplete" grades and to the Law School Academic Regulations for more specific information. Students on academic probation cannot take "Incomplete" grades in their probationary semester.

TRANSCRIPTS

Official Law School transcripts are issued by the Records Office of the University of Hawaii, Sakamaki Hall. Transcript request forms are available from the Student Affairs Office or from the Records Office, Sakamaki Hall. There is a \$1.00 charge for each transcript.

ACADEMIC STANDING

Students will be notified as to their academic standings in accordance with the relevant Academic Regulations. No record of class rank is maintained nor are grade point averages maintained or reported for other than purposes of determining academic standing or conferring of awards.

CHANGE OF REGISTRATION

A change of registration must be initiated on forms which may be obtained from the Law School Office of Student Affairs or the Associate Dean. Additions and withdrawals must be completed before the published deadlines. Later changes must have the approval of the Associate Dean, as should requests for complete withdrawals and requests for leaves of absence.

ACADEMIC PROBATION, SUSPENSION, AND DISMISSAL

In accordance with relevant Academic Regulations, students will be advised by certified mailed notice of their academic standing.

ACCESS TO STUDENT RECORDS

The Family Educational Rights and Privacy Act of 1974, as amended in December, 1974, makes a law school's files of current and former students open to the student and limits access to a student record of persons with legitimate educational interests. The University of Hawaii School of Law has incorporated as its rules and procedures the University of Hawaii at Manoa, Manoa Business Memorandum No. 6 as guidelines for the implementation of the Family Educational Rights and Privacy Act of 1974; where the University of Hawaii School of Law has promulgated guidelines which may overlap with the University guidelines, the more explicit guidelines prevail. This memorandum sets forth the University of Hawaii School of Law's rules and regulations pertaining to access to student records.

Individual records of each student admitted to the Law School shall contain:

1. The application for admission, together with official transcripts of all previous college and professional work undertaken.
2. The LSDAS reports including LSAT scores and pre-law grade average of applicant.
3. The action of the administrative office passing thereon.
4. The date of admission.
5. Law courses undertaken together with the grades and credits earned therein.
6. Law courses for which the student is registered.
7. Date of beginning and end of each period of attendance.
8. Date of graduation or final dismissal from school.
9. A record of all special action of the faculty or administrative officers affecting the individual including related petitions and other documents.
10. In the case of a special student, or a student admitted after dismissal from another school on account of low scholarship, a statement of the considerations that led to the decision to admit the student signed by the admitting officer and the related petitions or documents.

The Law School Registrar is the official custodian of student records. A student or former student has the right of access to inspect and review any personal educational record except:

1. Confidential letters and statements of recommendation placed in the education record prior to January 1, 1975.
2. Confidential letters or statements of recommendation for which he/she has waived access rights.
3. Confidential financial records of the parents of the student.

By written consent, the student may have released the information in any educational record. The written consent should specify the records to be released, the reasons for such release and to whom. If the student requests, he/she shall receive a copy of the released record.

Persons who have authorized access to student records and who need not record that access are:

1. The Law School Deans.
2. Faculty advisor of the student on whom the record is sought.
3. The Registrar and all designated subordinate staff.
4. Program directors.
5. The University of Hawaii at Manoa Chancellor's Office, and
6. Other persons designated by Business Memorandum No. 6.

Permanent faculty have authorized access to student records without permission of the student provided a record of that access is kept in the student file and access is for a legitimate educational interest as determined by the Law School Registrar.

All other persons with a legitimate educational interest as determined by the Law School Registrar may have access to a student's records upon permission of the student and completion of the appropriate forms.

PRE-ADMISSION TO LAW SCHOOL PROGRAM

The Pre-Admission to Law School Program is designed to provide students from disadvantaged population groups under-represented in the Hawaii Bar with an opportunity to improve and to demonstrate their ability to do law school work. The students, who are selected from among each year's Law School applicants who are not admitted, have records of prior achievement, which, while not strong enough to justify admission, indicate potential for successful completion of law study and significant contribution as lawyers.

Students in the Pre-Admission to Law School Program enroll each semester in selected first year law courses and one special law seminar for Pre-Admission students as well as appropriate tutorials. Credits received in the regular law courses count toward the requirements for the J.D. degree as defined by regulations.

Financial assistance may be available to qualified Pre-Admission students. Mr. Allison Lynde is Director of the Pre-Admission Program.

UNIVERSITY OF HAWAII SCHOOL OF LAW
CURRENT ACADEMIC REGULATIONS

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August 1982

UNIVERSITY OF HAWAII SCHOOL OF LAW
CURRENT ACADEMIC REGULATIONS

I. Records of Academic Performance

No oral or written disclosure of any evaluation of a current or former student's academic performance shall be made to any person not an employee of the University acting in an official capacity, without the express consent of the student or former student.

II. Requirements for the J.D. Degree (For students enrolled as regular students prior to August 1981.)

The following requirements must be met by students before they are entitled to the J.D. degree:

A. Full-time residence in the School for at least six academic semesters:

Full-time residence in a semester shall mean enrollment for not less than 12 semester hours which are carried and completed and for which a grade other than "I" (Incomplete), "W" (Withdrawn), "F" or "No Credit" is received, provided that 10 credit hours shall constitute full-time study for students who have received written permission from the Dean or his delegate. Such permission shall be granted only for good cause. Partial residency credit may be earned pursuant to this rule with the written permission of the Dean or his delegate on the basis of the number of hours passed over 12 (e.g., 8 hours passed = $8/12 = 2/3$ semester residency credit). In no case may a student earn more than one semester of full-time residence credit during the academic semester.

B. Eighty-four semester credit hours earned (excluding credit hours of "F", "No Credit", "I" or "W") including a grade of "D" or better in all required courses, seminars, practicums and workshops.

C. A cumulative grade point average of:

1. 2.00 or better in all work taken after the first semester of the first year; or
2. 1.90 or better in all work taken after the first semester of the first year plus 68 credit hours of "C" (2.00) or better in work taken after the first semester of the first year.

D. In addition, a student must complete the requirements in subparagraphs A-C, above, within five years of admission to the School.

Requirements for the J.D. Degree (For students entering the School beginning in August 1981, or later.)

The following requirements must be met by students before they are entitled to the J.D. degree:

A. Full-time residence in the School for at least six academic semesters:

Full-time residence in a semester shall mean enrollment for not less than 12 semester hours which are carried and completed and for which a grade other than "I" (Incomplete), "W" (Withdrawn), "F" or "No Credit" is received, provided that 10 credit hours shall constitute full-time study for students who have received written permission from the Dean or his delegate. Such permission shall be granted only for good cause. Partial residency credit may be earned pursuant to this rule with the written permission of the Dean or his delegate on the basis of the number of hours passed over 12 (e.g., 8 hours passed = $8/12 = 2/3$ semester residency credit). In no case may a student earn more than one semester of full-time residence credit during the academic semester.

B. Eighty-nine semester credit hours earned (excluding credit hours of "F", "No Credit", "I" or "W") including a grade of "D" or better in all required courses, seminars, practicums and workshops.

C. A cumulative grade point average of:

1. 2.00 or better in all work taken after the first semester of the first year; or
2. 1.90 or better in all work taken after the first semester of the first year plus 74 credit hours of "C" (2.00) or better in work taken after the first semester of the first year.

D. One course from among the following: Lawyering Skills, Litigation Workshop, Trial Practice, Appellate Advocacy II, Moot Court Team, or Law Review.

E. In addition, a student must complete the requirements in subparagraphs A-D, above, within five years of admission to the School.

III. Special Projects

Special Projects include externships, directed study, Law Review, Moot Court Team, and Moot Court Board, as well as graduate courses, seminars, etc. taken at faculties or institutions outside the School of Law at the University of Hawaii.

No more than a combined total of 12 credits of Special Projects can be credited towards the requirements of the J.D. degree.

Students on probation cannot earn Special Projects credit during their probation period.

A. Dual Graduate Degrees. Students properly enrolled in and pursuing our J.D. degree and another graduate degree concurrently, a dual degree program, may have, with the approval of the Dean or his designee secured in advance of earning such outside credit, up to 10 hours of credit for the successful completion of work in the other graduate degree program counted in the credit hours required for the J.D. degree.

B. A student not pursuing a dual degree may have, with the approval of the Dean or his designee secured in advance of earning such outside credit, up to 3 hours of credit for the successful completion of graduate courses taken outside the Law School counted in the credit hours required for the J.D. degree.

C. For advance approval under paragraphs A and B above, the Dean or his designee must be satisfied that the graduate course(s) will prove useful and relevant to the student's professional legal education or law career and that its content is of a nature to justify its substitution for courses offered in the Law School.

D. For purposes of paragraphs A and B above, "successful completion" of the work outside of the Law School shall mean a grade of "Credit" or "C" or better. A grade of "Credit" or "C" or better shall be counted only as a "Credit" for computing the Law School cumulative grade point average.

E. Externships. A total of six hours of credit may be earned for externships, but only two hours may be earned in any one area of externship. Externships may be taken in the following areas:

1. Private sector: 2 hours per semester, not to exceed a total of 2 hours.
2. Public sector: 2 hours per semester, not to exceed a total of 2 hours.
3. Judicial sector: 2 hours per semester, not to exceed a total of 2 hours.

Exceptions to the 2-hour limit rule may be granted by the Clinical Director, in consultation with the Associate Dean, for externships in either the public sector or the judicial sector for positions that are deemed to provide exceptional and unique educational experiences. In these exceptional circumstances, a second semester of 2-hours of credit may be earned.

No exceptions will be granted for externships in the private sector.

Only one externship will be permitted in any one semester. Students on probation may not elect externships.

Note: Subject to the requirements of the ABA and the School of Law that a "full-time student" devote "substantially all of his working hours to the study of law," requirements A-D would not preclude any student from spending additional hours clerking for a firm, agency, or judge.

F. Directed Study. Members of the full-time faculty shall be permitted to supervise up to three students each semester working on Directed Study, Law 576V, and either to give normal grades for these projects or to award credit/no credit. Such projects shall be limited to no more than three credits unless the faculty member supervising the projects, on written petition setting forth the reasons, secures approval from the faculty to award more credit prior to the beginning of the semester in which the project is to be undertaken. A decision whether the project shall receive a normal grade or credit/no credit shall be made by the supervising faculty member and entered into the student's record no later than the end of the regular registration period for the semester in which the project will be undertaken.

IV. Grades

A. Subject to paragraph C, below, students will be graded in all academic work carried for credit in accordance with the following system:

GRADES

GRADE POINTS

A - Excellent	4
B - Good	3
C - Satisfactory	2
D - Low Pass	1
F - No Credit	0
I - Incomplete	

Provided, however, in the work taken in the first semester of the first year:

1. No grade information other than "Credit" or "No Credit" shall be reported to anyone other than the student and employees of the Law School acting in an official capacity.
2. Except as provided in Section V C, the grade in such work shall not be used in determining a student's cumulative average for the purpose of Section V and Section II C.
3. The term "Credit" shall indicate a performance of "D" (1.00) or better.

B. Grading norms for large classes are set out below to afford each instructor a guide to institutional expectation while at the same time permitting sufficient flexibility to allow for instructor variations and for variations in student performance in different courses. The norms are not mandatory but in the event of departure from the stated range the instructor will be expected to justify the departure on inquiry of the Dean or faculty. The norms are applicable to course, but not seminar, grades.

GRADES

RANGE

A - Excellent	(4)	5 - 15%
B - Good	(3)	25 - 45%
C - Satisfactory	(2)	40 - 65%
D - Low Pass	(1)	0 - 20%
F - No Credit	(0)	0 - 10%

C. Students will be graded in Special Projects provided for under III, above, as well as in courses in the prescribed curriculum which are graded on a credit/no credit basis, in accordance with the following system:

1. Graduate courses and seminars offered outside the Law School shall be graded on the basis of "Credit/No Credit". The "Credit" shall indicate a performance of "C" or better. Such graduate courses shall receive the grade of "Credit" if the department, school or college grading the course or seminar determines that the student has earned a "C" or better, or the equivalent according to department, school or college criteria applied to all students taking such graduate course or seminar.
2. Unless otherwise agreed to and approved by the faculty or a duly designated Law School Committee in advance, an approved externship shall be graded on the basis of "Credit/No Credit". The term "Credit" shall indicate a performance of "C" or better.
3. Directed Study shall be graded as provided for in III F, above.

4. With the permission of the faculty secured by the instructor in advance of the commencement of the semester in which the course is offered, for good cause, a course, seminar or workshop offered within the prescribed curriculum may be graded on the basis of "Credit" or "No Credit". The term "Credit" shall indicate a performance of "C" or better.

5. Each Law student who enters this School in August 1981, or later, may elect to take up to six semester hours (during the entire period of residency) of electives (that are normally graded) on a "Credit/No Credit" basis. "Credit" will be given to those students earning an equivalent of a "C" or better. "No Credit" will be given to those students earning the equivalent of a "D" or "F". No grade will be included in a student's grade point average when the "Credit/No Credit" option is elected. If "No Credit" is received by the student, the class will not count towards the credits needed for graduation. Students selecting this option may do so by the end of the add period for classes.

D. "No Credit" grades shall not count toward residency requirements and shall not count in the credit hours required for graduation.

E. A faculty member has broad discretion to determine the factors (including but not limited to answers to examination, assigned written or oral work, class participation and special projects) to be considered in evaluating student performance, and in determining what weights are assigned to such factors in determining grades. Factors which do not bear reasonable relationship or relevance to the course's educational objectives, or which are not reasonably necessary or useful to achieve such objectives, should not be considered.

If an instructor intends to consider factors in addition to or substitution for a final written examination, he or she shall notify the students in the course of the factors to be considered and the relative weight to be assigned to such factors before the end of the first week of classes for that course in the semester in which the grade will be awarded and shall submit at that time to the administration in writing, the factors and relative weights to be assigned to such factors in determining grades for that course.

V. Eligibility to Continue in Residence

A. Students shall not be eligible to continue in residence beyond the end of any semester (except the initial semester of their first year) after which the student's cumulative average falls below 1.60.

B. A student who is eligible to continue in residence but whose cumulative average at the end of any semester but the initial semester of their first year is less than 2.00 but greater than 1.60 shall be allowed to continue in residence but he or she shall be on probation. Unless such student maintains a 2.00 average on all work taken the next semester, during which he or she is on probation, he or she shall be ineligible to continue beyond the end of such semester.

C. A student's cumulative average at the end of the first year, for purposes of paragraphs A and B, above, shall be the cumulative

average for the entire year or the cumulative average for the second semester of the first year, whichever is the higher. Thereafter a student's grades in the first semester of the first year shall not be considered in determining a student's cumulative average.

D. In computing a student's cumulative average at the end of any semester for purposes of paragraphs A, B and C, above, ("I"s) incompletes shall not be considered unless a grade be substituted therefor within three weeks after the end of the final examination period for the semester in question.

E. Notwithstanding the foregoing, a student shall not be eligible to continue in residence if the student's GPA for the first semester of the first year falls below 1.00. The Legal Method Seminar grade shall not be included in the GPA for purposes of this paragraph.

F. A student on probation may not stand for election or appointment to or continue to serve on a regular standing Law School or University committee.

G. A student on probation may not earn academic credit for any Special Project as described in III, above.

H. A student on probation shall not be eligible for client representation clinical programs which require certification as students in good standing under Hawaii Court Rules, e.g. Litigation Workshop.

VI. Passing Certain Required Seminars and Workshops; Re-enrollment in Courses Once Taken

A. Required Courses, Seminars and Workshops

Students must earn a grade of "D" or better in all required courses, seminars, practicums and workshops. If a student shall fail to complete any such required work or shall receive a grade of "F" therein, arrangements may be made with the instructor for opportunity to remedy the default or "F" through repeating said work or by performing such other tasks as are determined by the instructor. In such case, such work shall be completed or submitted at such time as the instructor shall determine but in no event later than twenty-one (21) days after the last regularly scheduled examination at the end of the applicable semester. If the default is not remedied or the "F" removed within said time period, the student shall once retake said required seminar, practicum or workshop when next offered. Failure to earn a grade of "D" or better after retaking such required course, seminar, practicum or workshop shall render the student ineligible to continue in residency or to graduate.

B. Re-enrollment in Courses Once Taken

A student otherwise eligible to continue in residency may once re-enroll in any course in which he or she obtained the grade of "F" or "D".

1. If a student receives a grade of "D" after retaking such course, the grade "D" shall be entered on the student's records with the indication that that said grade was attained on re-enrollment and 1.00 shall be entered into the cumulative average.

If a student receives a grade of "C" or better after retaking such course, the grade earned shall be entered on the student's record with the indication that said grade was attained on re-enrollment, but, irrespective of the grade earned, 2.00 shall be entered into the cumulative average. In either case, the original grade shall remain on the student's record but shall not thereafter be used in computing said student's cumulative average for purposes of Parts II or V of these regulations.

2. If a student obtains a grade of less than "D" upon re-enrollment, no credit shall be given for such work; such grade shall be entered on the student's records, but shall not be used in computing the student's cumulative average for purposes of Parts II or V of these regulations; and the original grade shall remain on the record and as part of the cumulative average.
3. If the course in which a student re-enrolls under this rule is one which was first taken in the first semester of the first year, the grade earned after re-enrollment shall not be used in computing said student's cumulative average. Except for such courses, the grade earned after re-enrollment may be included in computing the total number of hours of "C" or better pursuant to II C, above.

VII. Due Date for Written Work

In all work in which the grade depends in whole or in part upon a written paper or papers, the paper(s) must be presented to the instructor on or before the final day of the examination period for the semester in which the work is taken, or at such earlier time as is required by the instructor. Extension of time may be granted at the instructor's discretion upon adequate cause shown, if any extension is arranged for prior to the due date. An instructor will not be required to accept a paper for credit in any case of failure to comply with this provision.

VIII. Auditing

Auditing is permitted with the permission of the professor. Second- and third-year students may register to audit courses. Audited courses do not appear on transcripts and do not count towards graduation requirements.

IX. Readmission

A student who for academic reasons is ineligible to continue in residence may petition the Law School Petitions Committee in writing for a waiver of the rules applicable to his or her case. The Petitions Committee will evaluate such petitions in accordance with the academic standards governing the Law School and will act favorably on such petitions only if the petitioner can demonstrate that he or she was subject to extraordinary circumstances and that the petitioner has a strong likelihood of completing the Law School program and becoming a competent attorney. It is understood in this procedure that the overwhelming majority of such petitions will be denied.

Favorable action by the Petitions Committee will constitute a final decision on the petition. Unfavorable action may be appealed to the

full faculty by the petitioner. Under such circumstances, the full faculty will have the authority to review the decision and make a de novo determination.

A petitioner has the right to appear in person before the Petitions Committee and may bring an associate to assist in the advocacy of the petition. If an unfavorable decision by the Petitions Committee is appealed to the full faculty, the petitioner may appear (with an associate advocate) at the discretion of the full faculty.

Petitions to the Petitions Committee must be submitted in writing through the Associate Dean. To be considered for readmission, the petitioner must submit the petition at least two calendar weeks prior to the beginning of the semester in which readmission is sought.

X. Examinations

- A. A student who is enrolled in a course in which an examination or examinations are given will be required to take said examination(s) at its or their regularly scheduled time. Failure to hand in an examination paper will result in a "No Credit" thereon.

Exceptions to this provision may be granted only in the case of illness, accident or other such cause by prior arrangement with the Dean or his designee.

- B. Final examinations will be graded anonymously. The system whereby this is done will be designed by the administration and from time to time reviewed by the faculty.

XI. Procedures for Review of Final Grades

- A. Each instructor will, on request, discuss the final grade assigned to the work of any student in the instructor's course, seminar, or practicum.
- B. If, after the review provided in paragraph A, above, the student believes that his or her grade was the product of an abuse of professorial discretion, amounting to arbitrariness, bias or other serious unfairness, the student may submit his or her allegations to the Dean, in writing, along with a description of any and all evidence which sustains the student's burden of proving such allegations.
- C. Upon receipt of the allegations of abuse or discretion, as provided in paragraph B, above, the Dean shall attempt to investigate the grievance and resolve it by conciliation. In conducting his or her investigation (s)he may utilize such faculty assistance as (s)he deems appropriate.
- D. If conciliation, as provided above, fails, and if the Dean finds probable cause to believe that the final grade is the product of arbitrariness, bias or other serious unfairness, he will convene the faculty to conduct an investigation according to procedures which are appropriate to the nature and complexity of the allegations. Such procedures shall afford due process to both the student and instructor and shall conform to applicable University rules and regulations.
- E. If conciliation, as provided above in paragraph C, fails, and if the Dean does not find probable cause to believe that the final grade is the product of arbitrariness, bias, or other serious

unfairness, he shall report the findings of his investigation and the results of his efforts at conciliation, along with the charges, to the faculty which may, on its own motion, conduct an investigation as set forth in paragraph D, above.

- F. After formal investigation, the faculty shall submit its findings and recommendations, in writing, to the Dean.
- G. The Dean shall, after receipt of findings and recommendations of the faculty made pursuant to the hearing conducted under paragraphs D or E, above, take whatever corrective action is necessary, if any, in conformity with such findings and recommendations and shall promptly report his or her action to the grievant and the faculty.
- H. Nothing in this rule shall preclude any aggrieved student from utilizing other procedures provided by University rules and regulations.

XII. Plagiarism

For purposes of this rule, "plagiarism" is the presentation of the work or ideas of another as one's own, without specific acknowledgment of source and enclosure in quotation marks where appropriate. In cases of plagiarisms contained in any work submitted for credit, the faculty may impose such sanction as it deems appropriate up to and including permanent suspension.

Prior to the determination by the faculty of the commission of the offense of plagiarism, the student shall be given the opportunity of a hearing before the faculty and be permitted to offer evidence or explanation. The student may, if he or she wishes, be permitted the advice and presence of counsel of choice at such hearing but at his or her own expense.

The Community Standards of the University adopted by the Board of Regents on March 25, 1969, as from time to time amended, are adopted by reference and shall control to the extent the rule herein is inconsistent with said standards.

XIII. Transfer Credits

For the purpose of paragraph II, subparagraphs A and B, credits may be granted for work done outside the Law School in other accredited law schools subject to prior approval of the Associate Dean.

XIV. Application and Amendment of Regulations

These regulations shall apply for the academic year 1973-74 and thereafter. Amendments to these regulations may be adopted by the faculty from time to time and shall be binding at its discretion on all students from the date of adoption; provided, however, that no such amendment shall apply to the prejudice of any student enrolled in the School at the time of adoption as to credit and cumulative average requirements for graduation.

.....
Other School of Law regulations not codified in the foregoing but which appear in the School of Law Catalog.

A. Part-time employment.

The Law School curriculum and schedule have been planned to engage law students in the study of law on a full-time basis. A "full-time student" is one who devotes substantially all of his or her working hours to the study of law. Pre-admission and first-year students should not take part-time employment. Outside employment or other activities may seriously lower the educational value of the Law School program.

In certain circumstances, second- and third-year students who have strong academic records may find part-time employment compatible with their legal studies, e.g., by clerking at a law firm. In no event should this exceed approximately 15 hours weekly.

Students are reminded that academic standards of the School of Law are not altered to take into account demands imposed by outside employment.

The Law School's Student Placement Office provides information about part-time legal work and the University maintains information about other jobs.

B. Requirements of regular and punctual attendance.

"Full-time study shall mean registration for a minimum of 12 credit hours of study per semester, plus regular and punctual attendance at scheduled class meetings. The latter requirement is based on the premise that the instructional program can only realize its full potential with active participation by all members of the Law School community."

"Subject to limitations imposed by accrediting institutions of the University of Hawaii, the faculty may permit exceptions to certain of the above requirements in individual cases for reason of illness, family emergency, and the like."

C. Dismissal, rule violations.

"Upon due notice and a fair hearing consistent with law and University regulations, the faculty may dismiss from Law School any student who engages in conduct which violates applicable rules of law or University regulations, including those of the Law School."

.....

ACADEMIC REGULATIONS
FOR THE UNIVERSITY OF HAWAII
PRE-ADMISSION TO LAW SCHOOL PROGRAM
(Revised June, 1980)

The Academic Regulations of the University of Hawaii School of Law dated effective 08-01-78 and any amendments officially adopted by the faculty of the University of Hawaii School of Law thereafter are the academic regulations of the University of Hawaii Pre-Admission to Law School Program. In addition, the academic regulations for the Pre-Admission Program are as the faculty of the University of Hawaii School of Law may from time to time adopt or amend specifically for the Pre-Admission Program and shall be binding at its discretion on all students in the Pre-Admission Program from the date of adoption. Any conflict between the academic regulations for the University of Hawaii School of Law generally, and provisions adopted specifically for the Pre-Admission Program shall be resolved by having the provisions specifically adopted for the Pre-Admission Program control.

Provisions adopted by the faculty of the University of Hawaii School of Law specifically for the Pre-Admission Program are:

I. Requirements for Admission to the University of Hawaii School of Law

A. Required Courses

1. Regular First-Year Courses. Each Pre-Admission student shall enroll in the following regular first-year courses in the fall semester:

Law 506: Legal Research - 1 cr.
Law 509: Contracts I - 3 cr.
Law 516: Civil Procedure I - 2 cr.

Each Pre-Admission student shall enroll in the following regular first-year courses in the spring semester:

Law 510: Contracts II - 3 cr.
Law 517: Civil Procedure II - 4 cr.

2. Pre-Admission Seminar. Each Pre-Admission student shall also enroll in Law 501-502 (Pre-Admission Seminar - 4 cr.) in each semester.
3. Tutorials. In addition, each Pre-Admission student shall enroll in Law 516L (Civil Procedure Tutorial - 1 cr.) and Law 509L (Contracts Tutorial - 1 cr.) during the fall semester, and Law 517L (Civil Procedure Tutorial - 1 cr.) and Law 510L (Contracts Tutorial - 1 cr.) during the spring semester.

B. Grading

1. Pre-Admission students will be tested and graded with regular first-year students, and on the same basis, in the first-year courses in which they are enrolled.
2. The Pre-Admission Seminar and the Tutorials shall be graded "Credit" or "No Credit". "Credit" shall be awarded to students who:

- a. Regularly and punctually attend Pre-Admission Seminar and Tutorial meetings. Absences shall not exceed a total of three per semester. Additional absences may be permitted by the Associate Dean, but only for reasons of compelling health or other personal emergencies;
- b. Substantially comply with all requirements, assignments, re-assignments, and deadlines therefor established by the Seminar Leader and the Tutorial Leader.

3. A Pre-Admission student may not take an "I" (Incomplete) in any course or seminar. A grade of "F" shall be entered in the event a student refuses to take an examination or fails to meet the requirements of B.2., above.

C. Standards for Continuing in Residency and Admission to the School of Law

1. Pre-Admission students must achieve a GPA of 1.00 or better in all course work (excluding the Pre-Admission Seminar) taken in the first semester and must receive "Credit" for the Pre-Admission Seminar in order to be admitted to the second semester.
2. A student who achieves a "Credit" in the Pre-Admission Seminar and a GPA of 2.60 or better in the first semester of his or her Pre-Admission year shall be admitted to the School of Law in the second semester.
3. A student who receives credit for the Pre-Admission Seminar and the Tutorials in both semesters, and who:
 - a. Receives a GPA of 2.00 or better for all course work taken in the second semester, or
 - b. Receives a cumulative GPA of 2.00 or better for all course work taken in the first and second semesters
 shall be admitted to the School of Law.
4. A student who receives credit for the Pre-Admission Seminar and the Tutorials in both semesters, and who:
 - a. Receives a GPA between 1.60 and 1.99 for all course work taken in the second semester, or
 - b. Receives a cumulative GPA between 1.60 and 1.99 for all course work taken in the first and second semesters
 shall be admitted to the School of Law on probation.
5. A student who fails to receive a "Credit" for the Pre-Admission Seminar in the second semester or who:
 - a. Receives a GPA of less than 1.60 for all work taken in the second semester, and
 - b. Receives a cumulative GPA of less than 1.60 for all course work taken in the first and second semesters
 shall not be admitted to the School of Law.

6. For Pre-Admission students, the only "blind" semesters (where grades are recorded on a "Credit/No Credit" basis) are those semesters while the student is a Pre-Admission student. If a student matriculates into the regular program (by virtue of obtaining 2.60 average) after one semester, then only that first semester will be "Credit/No Credit" and all others will be graded. If a student matriculates into the regular program after completing the minimums for the full Pre-Admission year, then that Pre-Admission year will be "Credit/No Credit" and all others will be graded.

7. For purposes of determining whether a former Pre-Admission student has met the minimum requirements to remain in school after the first full "regular" semester, (i.e., 2.00 to remain in good standing, 1.60 to remain on probation), the student's "cumulative average" will be either:

- a. The cumulative average for that first full "regular" semester, or
- b. The cumulative average for all courses taken during the first full "regular" semester plus the actual grades earned during the student's Pre-Admission semester or year,

whichever is higher.

II. Admission to the School of Law

Except as provided in paragraph I.C.2., above, admission to the School of Law is valid only for the first-year class beginning in the fall semester immediately following student's Pre-Admission year.

III. Credit and Graduation Requirements

A. Students admitted to the School of Law after a single Pre-Admission semester, pursuant to paragraph I.C.2., above,

1. Shall have the six hours of regular first-year Law School courses taken during the Pre-Admission semester considered as a full first semester academic load for purposes only of paragraph V.C. of the University of Hawaii School of Law Academic Regulations. No additional Law School courses may be treated as if taken during the first semester of the first year.
2. Notwithstanding the foregoing, such student must obtain a cumulative GPA of 2.00 or better in all Law School courses taken after the Pre-Admission semester up to a total of 89 hours needed to graduate (excluding hours of "F", "No Credit", "I" or "W") including a grade of "D" or better in all required seminars, practicums and workshops.

The regular Law School courses taken and passed with a grade of "D" or better during the Pre-Admission semester shall count toward the 89 hours needed to graduate and shall be treated as "Credit" on the student's transcript. No credit for the J.D. degree will be given for a "Credit" received in a Pre-Admission Seminar or for the Tutorials.

3. A student shall enroll in all first-year courses and seminars not taken during the Pre-Admission semester except that such

student may not take the second semester Legal Method Seminar immediately upon admission to the School of Law but shall begin the Legal Method Seminar sequence the following fall semester. A student may not enroll in Contracts II in the spring semester of admission to Law School unless he has received a grade of "D" or better in Contracts I during the Pre-Admission semester.

4. A student admitted to the School of Law pursuant to I.C.2., above, may take, with the consent of the Associate Dean, upper division law courses in any semester in which such student is also completing regular first-year requirements.
5. The Pre-Admission semester shall not count toward the requirement of six semesters in residence. The 5-year period within which a student must complete law studies commences with the spring semester immediately following the Pre-Admission semester.

B. A student admitted to the School of Law pursuant to paragraph I.C.3. or I.C.4., above,

1. Must obtain a cumulative GPA of 2.00 or better in all Law School courses taken after the Pre-Admission year up to a total of 89 hours needed to graduate (excluding hours of "F", "No Credit", "I" or "W") including a grade of "D" or better in all required seminars, practicums and workshops. The regular Law School courses taken and passed with a grade of "C" or better during the Pre-Admission year shall count toward the 89 hours needed to graduate and shall be treated as "Credit" on the student's transcript. No credit for the J.D. degree will be given for a credit received in a Pre-Admission Seminar or for the Tutorials.
2. A student shall enroll in all first-year courses and seminars not taken during the Pre-Admission year and in all courses in which the student received a "D" (1.00) or lower during the Pre-Admission year.

The grades in Civil Procedure I and II and in Contracts I and II shall be averaged for the purposes of this rule. That is, a student must receive a cumulative GPA greater than 1.00 for the six hours in each subject; otherwise, the entire subject, Parts I and II, must be repeated.

In the case of a student who must repeat a course because of a grade of "D" or "F" in the Pre-Admission year, the grade earned on repeating the course shall be the only grade included in the student's GPA thereafter for that course.

3. Pre-Admission semesters shall not count in the six semesters of residency required in the School of Law; the 5-year period within which a student must complete his or her studies commences with the first fall semester following the student's Pre-Admission year.
4. A student admitted to the School of Law pursuant to I.C.3. or I.C.4., above, may take with the consent of the Associate Dean, upper division law courses in any semester in which such student is also completing regular first-year requirements.

IV. Probation

A student admitted to the regular first-year class on probation must earn a 1.75 GPA in the first semester of the first year in order to continue in residence.

V. Records of Academic Performance

Confidentiality of a Pre-Admission student's record of academic performance shall be stated in the School of Law's Academic Regulations.

VI. Petitions for Admission

A Pre-Admission student who for academic or other reasons is ineligible for admission to the University of Hawaii School of Law may petition the Dean and faculty in writing for a waiver of the rules applicable to his or her case. Such a petition may be approved, subject to such conditions, requirements and limitations as the Dean and faculty may in their discretion consider appropriate provided the circumstances are such as to convince them that further trial is likely to result in success.